

REMARKS

This application has been carefully reviewed in light of the Office Action dated September 26, 2006. Claims 72 to 75 are in the application, of which Claims 72 and 74 are independent. Reconsideration and further examination are respectfully requested..

Turning first to a formal matter, the Information Disclosure Statement dated September 29, 2006 crossed in the mail with the instant final Office Action. Accordingly, a Letter requesting consideration of that Information Disclosure Statement, together with the requisite \$180.00 fee, accompanies this Amendment. Consideration of the Information Disclosure Statement is respectfully requested.

Turning to the substance of the Office Action, an objection was lodged against the drawings. This objection was maintained from a prior Office Action but, like the prior Office Action, no explanation was made as to the nature of any drawing informalities. The objection is therefore respectfully traversed, since it is impossible to respond to an objection that has not been identified with specificity. See MPEP § 608.02(b):

“The Examiners are directed to advise the Applicants by way of form PTO-948 (see MPEP § 707.07(a)) in the first Office Action of the reasons why the drawings are not acceptable”. (Page 600-116, revision 5, August 2006)

Here, the Office Action did not provide any specifically-mentioned objections to the drawings, and it is hence impossible to provide any meaningful response.

The Office Action further took the position that the size of the application somehow shifted the burden of independent examination to the Applicant:

“What this objection means is that the Applicant’s specification is so large that the burden is on the Applicant to correct all minor informalities in the specification and the drawings.” (Office Action, page 2).

No authority is cited for this proposition, and it indeed is believed to be incorrect and contrary to the clear Congressional mandate of an independent examination by the USPTO:

“The Director shall cause an examination to be made of the application and the alleged new invention; and if on such examination it appears that the Applicant is entitled to a patent under the law, the Director shall issue a patent therefor” (35 U.S.C. § 131).

The Office is respectfully reminded that it is their obligation, under the statute, to perform an independent examination of the application, and that this obligation cannot somehow be shifted to the Applicant.

In spite of the above, the undersigned confirms his cooperation in correcting all minor informalities of which he is aware. The above traversal of the drawing objection should not somehow be construed as deliberate or callous carelessness in the preparation and filing of the subject application.

Withdrawal of the drawing objection is respectfully requested.

Turning to rejections of the claims, Claims 62 to 71 were rejected under § 102(e) or § 103(a) over U.S. Patent Application Publication 2002/0015066 (Siwinski), or over Siwinski in view of secondary references. In response, Claims 62 to 71 have been cancelled, and new Claims 72 to 75 have been substituted therefor. Cancellation of Claims 62 to 71 is without prejudice or disclaimer of subject matter, and without conceding the

correctness of the rejection. This therefore should be viewed as a traversal of Claims 62 to 71.

As for new Claims 72 to 75, they are believed to define an invention consonant with the election made in this case, and are further believed to define patentable subject matter. In particular, each of Claims 72 to 75 describes an ink jet recording system in which there are a plurality of ink tanks with a solid semiconductor element arranged in each. This solid semiconductor element includes information acquiring means which acquires information as to an ink remaining amount in the ink tank, discrimination means which compares the acquired information with information stored in information storing means to discriminate whether a transmission of information is needed, and information transmitting means which transmits the information to outside of the ink tank in a case where a need for information transmission is discriminated.

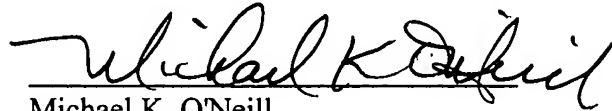
It is thus a feature of the invention that transmission of information is made on an as-needed basis.

The art applied in the Office Action is not seen to disclose or to suggest an arrangement as set out above, particularly an arrangement in which there is a transmission of information on an as-needed basis, in a case where discrimination means discriminates whether a transmission is needed by a comparison between acquired information on an ink remaining amount and such information as stored in storing means.

It is therefore respectfully submitted that the claims herein define subject matter that is not anticipated and would not have been obvious over the applied art, and allowance of the claims herein is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office at (714) 540-8700. All correspondence should continue to be directed to
our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", written over a horizontal line.

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